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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,848	01/02/2004	Leslie A. Beckwith	POL-101	9450
21272	7590	05/20/2005	EXAMINER	
MORLAND C FISCHER 2030 MAIN ST SUITE 1050 IRVINE, CA 92614			PHAM, LAM P	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/749,848

Applicant(s)

BECKWITH ET AL.

Examiner

Lam P. Pham

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11 is/are allowed.
- 6) ☒ Claim(s) 12-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 12-16 rejected under 35 U.S.C. 102(b) as being anticipated by **McGaffey et al.** (US 6340936).

**Regards claim 12**, McGaffey disclose a vibrating push button station to provide a tactile signal to a user, said vibrating push button station comprising:

a push button (15) to which a pushing force is applied by the user;

a magnet (39) coupled to said push button (indirectly via pin 33, plate 30, diaphragm 19);

a coil (38) to which a current is applied to generate a changing magnetic field and thereby cause the magnet to move towards and away from said coil (along the vertical axis), the movements of said magnet towards and away from said coil being transmitted to said push button as said tactile signal; and

a force sensitive element (42) spaced from and aligned with said magnet, said magnet moving towards said force sensitive element to apply a force thereto in response to the pushing force applied by the pedestrian to said push button, said force sensitive element generating an output signal when said magnet moves into contact

Art Unit: 2636

therewith for causing the current to be applied to said coil as seen in Figures 1-4; col. 2, lines 31-67, col. 3, lines 1-67, col. 4, lines 1-42.

**Regards claim 13,** McGaffey disclose further comprising a flexible diaphragm having opposite first and second sides, said push button coupled to the first side of said flexible diaphragm and said magnet coupled (indirectly) to the second side of said flexible diaphragm, said flexible diaphragm flexing when said pushing force is applied by the pedestrian to said push button for moving said magnet into contact with said force sensitive element as seen in Figure 4; col. 4, lines 9-16.

**Regards claim 14,** McGaffey disclose said force sensitive element is a piezoelectric element and said output signal is a voltage generated by said piezoelectric element for causing the current to be applied to said coil when said magnet moves into contact with said piezoelectric element as seen in col. 4, lines 9-16.

**Regards claim 15,** McGaffey disclose further comprising a circuit board (59) to receive the voltage generated by said piezoelectric element for causing the current to be applied to said coil, said piezoelectric element electrically connected to and spaced from said circuit board by means of flexible electrical circuitry extending there between as seen in col. 4, lines 14-16.

**Regards claim 16,** McGaffey disclose further comprising a coil housing so as to receive and retain said coil in surrounding coaxial alignment with said magnet so that said magnet moves relative to said coil when said current is applied to said coil as seen in Figure 4; col. 3, lines 66-67 and col. 4, lines 1-3.

***Allowable Subject Matter***

3. Claims 1-11 allowed.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Humphrey (US 5103223) discloses a street-crossing signal. (\*).

Eckhaus (US 5339071) discloses a shock sensor.

Nguyen et al. (US 5172092) disclose a selective call receiver having audible and tactile alerts.

Wilkinson et al. (US 4851836) disclose an audio-tactile pedestrian button.

Patterson et al. (US 4590474) disclose a street crossing signal device for blind person.

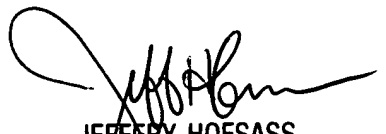
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lam P. Pham whose telephone number is 571-272-2977. The examiner can normally be reached on 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery A. Hofsass can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2636

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lam Pham  
May 11, 2005.



JEFFERY HOFSSASS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600